

April 29, 2020

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IN THE

UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

UNITED STATES OF AMERICA )

v. )

Criminal No.: 4:20-cr-00014

MELIK ZYDARIUS SMITH )  
a/k/a "Shoota" )

**STATEMENT OF FACTS**

The parties stipulate that the allegations contained in the Information and the following facts are true and correct, and that had this matter gone to trial, the United States would have proven each of these facts beyond a reasonable doubt.

At all times relevant to the Information, MELIK ZYDARIUS SMITH, a/k/a "Shoota," (hereinafter "SMITH") was a member of the criminal organization the Milla Bloods ("Millas"), which is a street gang affiliated with the New York Bloods Nation. Since at least sometime in or about 2015, the Millas have been active in the Western District of Virginia and have engaged in criminal activity, including but not limited to murder and attempted murder, assault resulting in bodily injury, assault with a dangerous weapon, robbery, obstruction of justice, drug distribution and trafficking, and conspiracy to commit those crimes.

The Millas, including its leadership, membership, and associates, constitutes an "enterprise" as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated-in-fact. The enterprise constitutes an ongoing organization whose members function as a continuing unit for a common purpose of achieving the objectives of the enterprise. This enterprise has engaged in, and its activities have affected, interstate and foreign commerce.

The purposes of the enterprise, of which SMITH was a member, included promoting and enhancing the enterprise, and enriching its members and associates through, among other things, acts of violence, including murder, trafficking in firearms, and trafficking in controlled substances, and the enforcement of discipline among the members; to providing assistance to members of the enterprise who committed crimes for and on behalf of the enterprise; and to thwarting efforts of law enforcement to apprehend enterprise members.

SMITH was a member of the Millas. SMITH was involved in a murder and attempted murders committed by the enterprise, as well as drug trafficking committed by the enterprise.

*Defendant's Initials:* MZS

From in or about 2015, in the Western District of Virginia and elsewhere, SMITH and others, being persons employed by and associated with the Millas, an enterprise which was engaged in, and the activities of which affected interstate and foreign commerce, knowingly and intentionally did conspire and agree with each other, and with persons known and unknown, to conduct and participate in, directly and indirectly, the affairs of the Millas through a pattern of racketeering activity, as that term is defined by Title 18, United States Code, Sections 1961(1) and 1961(5), consisting of multiple act(s) involving:

- a. Murder, chargeable under Virginia Code, Sections 18.2-32, 18.2-22, 18.2-26 and 18.2-18 and the common law of Virginia;

and multiple offenses involving:

- b. Trafficking in controlled substances in violation of 21 U.S.C. §§ 841 and 846.

In furtherance of the conspiracy and to achieve its objectives, SMITH performed and caused to be performed certain racketeering acts in the Western District of Virginia and elsewhere. The racketeering acts performed by SMITH included, but are not limited to:

A. The Milla Bloods

Starting sometime in 2015, but no later than the beginning of 2016, the Milla Bloods street gang was active in Danville, Virginia, which is located in the Western District of Virginia.

At one point in 2016, DaShawn Anthony (a/k/a "Shon Don") became the "Big Homie" or leader of the Millas. New members were initiated through a "jump in" or "beat in," where gang members would fight the new members for 21 seconds. New members were required to take an oath. The gang initiations occurred in Danville. Gang members could have rank within the gang. By or in June 2016, the following individuals were members of the Milla Bloods in Danville, among others:

Jalen Terry (a/k/a "Fats")  
Melik Smith (a/k/a "Shoota")  
DaShawn Anthony (a/k/a "Shon Don")  
Tredarius Keene (a/k/a "Bubba" or "Bubs")  
Demetrius Staten (a/k/a "Truck")  
Jermay Smith, Jr. (a/k/a "Little Trill")  
Tanasia Coleman (a/k/a "Nasia")  
Montez Allen (a/k/a "Doc")

The gang met periodically when called to do so by the Big Homie, DaShawn Anthony.

Milla gang members were required to follow certain rules, such as "no snitching." Information about the enterprise was written down and circulated on Facebook and text

Defendant's Initials: MS

messages among the gang members. Gang members would indicate their status as a gang member by wearing red bandanas or making gang signs with their hands in photographs and videos, such as the "B" for Bloods or "M" for "Millas." Millas also had certain lingo.

The "800" neighborhood is an area in Danville near Green Street Park and includes streets such as Lee Street, Berryman Avenue, Colquhoun Street, Cabell Avenue, and others. This was the territory of the Rollin 60s Crips.

B. Meeting of the Milla Bloods and the Rollin 60s Crips

In the summer of 2016, members of the Rollin 60s Crips street gang and Milla Bloods street gangs "tied the flag" in order to facilitate their criminal activities in the Danville, Virginia area. Many of the members of both gangs were from the same neighborhood, the "800." The Billys, a rival Bloods gang that is a set of the 9-Trey Bloods, was a common enemy. On or about August 20, 2016, members of the Millas and the Rollin 60s Crips agreed to and met at the residence of Sticcs' mother on Forestlawn Drive in Danville, Virginia, which is located in the Western District of Virginia. "Sticcs" is the nickname for Marcus Davis, who is a member and the "Big Homie" of the Rollin 60s Crips. SMITH attended the meeting along with the following Milla Bloods gang members, among others:

Jalen Terry (a/k/a "Fats")  
DaShawn Anthony (a/k/a "Shon Don")  
Tredarius Keene (a/k/a "Bubba" or "Bubs")  
Wydarius Brandon (a/k/a "Gleesh" or "D")  
Demetrius Staten (a/k/a "Truck")  
Jermay Smith, Jr. (a/k/a "Little Trill")  
Justin Simmons (a/k/a "Justo")  
Tanasia Coleman (a/k/a "Nasia")  
Jay Terry

At this time, Anthony was the "Big Homie" of the Millas.

Several members of the Rollin 60s Crips gang were likewise present.

At the meeting, Marcus Davis and DeShawn Anthony discussed different topics and issues, including that the two gangs should work together to sell drugs and buy guns at the expense of a rival street gang called the Billy Bloods. At some point, Anthony gave a "greenlight" to kill members of the Billy Bloods, including its leader, Stevie Wallace (a/k/a "Peterroll").

C. Murder of Christopher Motley and Attempted Murder of Justion Wilson  
(August 20, 2016)

Defendant's Initials: ML



On August 20, 2016, SMITH conspired with members of his own gang and members of the Rollin 60s Crips to kill the head of the Billy Bloods.

On August 20, 2016, multiple meetings occurred between members of the Rollin 60s Crips and the Millas. At least one of these meetings occurred at the apartment of Ashley Ross, who is an associate or member of the Rollin 60s Crips. Ross's apartment is located in the Southwyck Apartment complex, which is in Danville, Virginia and which is located in the Western District of Virginia. Southwyck Apartments are often referred to as "North Hills Court." In general, the plan was to lure Wallace (and his second-in-command or other Billys) to Southwyck Apartments, where various gang members were fanned out around the complex and an adjoining parking lot, armed and prepared to shoot Wallace to death.

At approximately 10:30 p.m., on August 20, 2016, a van drove into the apartment complex, which caused multiple gang members to begin shooting from different directions, including SMITH. Rollin 60s Crips member Phillip Miles (a/k/a "R") and Milla Bloods leader DaShawn Anthony (a/k/a "Shon Don") were standing in the window of Ross's apartment, which faces the parking lot. Other gang members were located in various locations in front of and adjacent to the various apartment buildings and parking lot, and some gang members were located near a trash dumpster in the parking lot in front of Ross's apartment. In the shooting, one of the occupants of the van, Christopher Motley, was killed in the gunfire. The driver of the van, Justion Wilson, was not injured.

After the murder, the shooters fled into apartments in the apartment complex and from the Southwyck Apartments to various locations in and around Danville, Virginia.

In addition to SMITH, the following Millas members, and others, were present at Southwyck Apartments before and during the shooting:

Javontay Holland (a/k/a "Tay")  
DaShawn Anthony (a/k/a "Shon Don")  
Tredarius Keene (a/k/a "Bubba" or "Bubs")  
Demetrius Staten (a/k/a "Truck")  
Jermay Smith, Jr. (a/k/a "Little Trill")  
Montez Allen (a/k/a "Doc")

Tanasia Coleman, was located inside Ashley Ross's apartment before and during the shooting.

Many members of the Rollin 60s Crips gang were likewise present before and participated in the shooting.

D. Conspiracy to Distribute Controlled Substances

Defendant's Initials: MLs

During and in furtherance of the conspiracy, SMITH conspired with others to distribute, and did in fact distribute, marijuana on behalf of the racketeering enterprise.

Each of the acts set forth in paragraphs A, B, C, and D above furthered the goals and objectives of the enterprise by enriching SMITH and its members, and enhancing the status of SMITH and others within the organization.

The actions taken by SMITH as described above were taken willfully, knowingly, and with the specific intent to violate the law. SMITH did not take those actions by accident, mistake, or with the belief that they did not violate the law. SMITH acknowledges that the purpose of the foregoing statement of facts is to provide an independent factual basis for his guilty plea. It does not necessarily identify all of the persons with whom the defendant might have engaged in illegal activity.

Respectfully submitted,



Ronald M. Huber

Heather L. Carlton

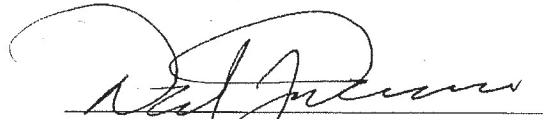
Assistant United States Attorneys

After consulting with my attorney and pursuant to the plea agreement entered into this day, I stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Melik Zydarius Smith Fv

Melik Zydarius Smith, Defendant

We are Melik Zydarius Smith's attorneys. We have carefully reviewed the above Statement of Facts with him. To our knowledge, his decision to stipulate to these facts is an informed and voluntary one.



David Damico, Esq.

Stephen Wills, Esq.

Counsel for Defendant

Defendant's Initials: MZS